

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 15475/2021

1. The Chief Medical And Health Officer, Jalore
2. In-Charge, Community Health Centre, Raniwara And Aahore Dist. Jalore
3. In-Charge Health Centre, Gang, Jakhadi, Badanwadi And Guda Balotan Dist Jalore

----Petitioners

Versus

1. Mohanlal S/o Shri Bhabutram Mali, Resident Of Leta-B, Bera Dharda, Pawati, Jalore
2. Prabharam S/o Shri Ranchhod Ram Meghwal, Contractual Daily Wages Workers Working With Chief Medical And Health Officer, Jalore.
3. Somaram S/o Shri Lavjiram Joshi, Contractual Daily Wages Workers Working With Chief Medical And Health Officer, Jalore.
4. Lalaram S/o Shri Somaram Bhat, Contractual Daily Wages Workers Working With Chief Medical And Health Officer, Jalore.
5. Laxmandas S/o Shri Dayalal Sant, Contractual Daily Wages Workers Working With Chief Medical And Health Officer, Jalore.
6. Champalal S/o Shri Bhagaram Harijan, Contractual Daily Wages Workers Working With Chief Medical And Health Officer, Jalore.
7. Ramesh Kumar S/o Shri Narsaji Garh, Contractual Daily Wages Workers Working With Chief Medical And Health Officer, Jalore.

----Respondents

For Petitioner(s)	:	Mr. Rajat Arora for Mr. K.S. Rajpurohit, AAG
For Respondent(s)	:	Mr. S.K.M. Vyas

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

18/12/2023

Heard learned counsel for the parties on stay application.

After hearing the learned counsel for the parties at Bar, this court *prima facie* finds that the award dated 11.12.2019 passed by the learned labour court, Jodhpur regularizing the respondents/workmen, after completion of 5 years' from the date of initial appointment is not in conformity with the earlier award dated 16.01.2004 passed by the learned labour court, Jodhpur while adjudicating labour court dispute 76/2001 (Sheru Khan Vs. Chief Medical and Health Officer, Jalore), whereby respondents are directed to be reinstated in service as part time ward boy/class boy employees, on finding their retrenchment to be in violation of the mandatory conditions precedent as provided in section 25F of Industrial Dispute Act, 1947.

Looking to the facts stated in the application, this court deems it appropriate to direct that the effect and operation of the award dated 11.12.2019 passed by the Industrial Dispute Tribunal and Labour Court, Jodhpur in Labour Dispute Number 14/2017(NCV No.52/2017) shall remain stayed till the next date of hearing.

List the matter on 09.01.2024 alongwith S.B. CWP Nos.1974/2004 and 104/2006.

(KULDEEP MATHUR),J